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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,211	11/25/2003	Hidekazu Tanno	Q78595	4996
23373 7590 04/18/2007 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			EXAMINER FRANCIS, MARK P	
			ART UNIT	PAPER NUMBER

2193

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/18/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

10/720,211

Applicant(s)

TANNO ET AL.

Examiner

Mark P. Francis

Art Unit

2193

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 25 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 11/25/03; 11/25/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This action is responsive to the application filed on November 25, 2003.
2. Claims 1-13 have been examined.

### ***Oath/Declaration***

3. The Office acknowledges receipt of a properly signed oath/declaration filed November 25, 2003.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

5. A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Moshaiov. (U.S. Pat 6,678,726)

### **Independent claims**

With respect to claims 1,3,5,6,10, and 11, Moshaiov discloses The detection server(Col 3:55-61, "...by processing unit for automatically detecting changes in the network configuration...") for omission-in-software-property-management(Col 5:40-50, "...When

Art Unit: 2193

there is more than one connected network, the set-up operator is prompted to select the proper connected network out of a given list...) using a network for detecting a computer omitted from a software-property management which manages, (Col 4:35-40, "...The personal computer may operate in a networked environment...")for each computer, basic information thereof and installed software, and fix-patch application status, wherein a network-connected-computer list which holds, (Col 9:15-25, "...and a list of certain servers...") for all computers connected to a given network, information for identifying each computer, (Col 8:45-55, "...a unique identifier of the site which the client belongs...") is received from a network-connection-management server including said network-connected-computer list, (Col 8:20-30, "...assumes it has moved...") a software-property management list which holds, (Col 9:15-25, "...and a list of certain servers...")for all computers to be managed by said software-property management, information for identifying each computer, (Col 10:30-40, "...retrieves a list of DS servers from its registry...") is received from a software-property management server including said software-property management list, (Col 10:30-40, "...retrieves a list of DS servers from its registry...")and said network-connected-computer list(Col 11:1-15, "...The client computer extracts the site and connected network...") and said software-property management list are used as a basis on which a computer is extracted that is present in said network-connected-computer list (Col 11:1-15, "...The client computer extracts the site and connected network...")and absent in said software-property management list, and there is created a list of computer omitted in the software-property management. (Col 11:1-15, "...The client computer extracts the site and connected

Art Unit: 2193

network...")

### **Dependent claims**

With respect to claims 2, 4, 7, 8, and 12, the rejection of claims 1, 3, 5, 6 and 11 are incorporated respectively and further, Moshaiov discloses that the omission-in-software-property-management detection server (Col 10:30-40, "...retrieves a list of DS servers from its registry...") uses said network-connected-computer list (Col 11:1-15, "...The client computer extracts the site and connected network...") and said software-property management list as a basis to extract a computer that is present in said software-property management list and absent in said network-connected-computer list, and to create a list of computer in unused state. (Col 11:1-15, "...The client computer extracts the site and connected network...")

With respect to claims 9 and 13, the rejection of claims 8 and 11 are incorporated respectively and further, Moshaiov discloses that said server sorts said network-connected-computer list and said software-property management list, (Col 10:30-40, "...retrieves a list of DS servers from its registry...") and uses these sorted network-connected-computer list (Col 9:15-25, "...and a list of certain servers...") and software-property management list as a basis to create said list of a computer omitted in software-property management or said list of computer in unused state. (Col 11:1-15, "...The client computer extracts the site and connected network...")

***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark P. Francis whose telephone number is (571)272-7956. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai T. An can be reached on (571)272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


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Art Unit: 2193

Mark P. Francis

Patent Examiner

Art Unit 2193



**MENG-AL T. AN**  
**SUPERVISORY PATENT EXAMINER**  
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